S.B. CR.MISC.BAIL APPL.NO.7394/2007.

Mangilal @ Anil Kumar
Vs.
State

Date of order : 6/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri R.N. Vijay for the petitioner.
Shri Ashvini Sharma PP for the State.

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Heard learned counsel for the petitioner, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioner has argued that he along with the co-accused forcibly took away the motorcycle of the complainant whereas the motorcycle was recovered from the site of the dispute itself. It is argued that certain abrasions have been found on the person of the informant. There was no previous criminal case ever registered against the petitioner. The petitioner was arrested on the date of incident itself i.e. 4/10/2007 and since then, he is in jail. Investigation is almost complete. No recovery is yet to be made at the instance of the petitioner. Trial of the case will take long. Further detention of the petitioner is no longer required for any purpose of investigation.

Learned Public Prosecutor has opposed the bail application and has argued that in view of

seriousness of allegations against the petitioner, he is not entitled to be enlarged on bail.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioner on bail during trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Mangi Lal alias Anil Kumar S/o Ram Karan Meena shall be released on bail in F.I.R. No.85/2007 P.S. Datwas for offence under Section 392 IPC subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

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